

PATENT

Traversal with Provisional Election

Applicant respectfully *traverses* the Office's restriction requirement.

Applicant acknowledges the Office's tactical use of restriction in managing work load, particularly as a mechanism to ostensibly address 14-mo first action requirements. However, Applicant also notes that as a factual matter, restriction is improper in the present case.

In particular, Applicant notes the rather contrived classification of Group II claims (which recite definition of actuary manipulable representation of a rating model and transformation of same to an executable representation) as "runtime processing" *distinct* from subject matter of Group I claims (which recite execution of an executable representation of a rating model prepared from an actuary-manipulable representation thereof). Furthermore, Applicant notes that the *required showing* that search and examination of the restricted claims cannot be performed without serious burden *has not been made*. Indeed, in light of the actual language of the claims, no credible assertion of such burden is sustainable. Accordingly, Applicant respectfully traverses the restriction of groups I and II and requests reconsideration and withdrawal of the requirement.

In accordance with 37 C.F.R. § 1.143, Applicant *provisionally elects* Group II.

Applicant notes the Office's designation of claims 5, 6 and 9 as *linking claims*.

Claims 1 and 2 (Group I) remain in the case pending reconsideration of the present restriction. Claims 16-18 (Group III) remain in the case pending disposition of the relevant linking claim.

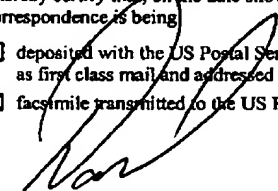
Amendment

Applicant *amends* the present application to add a new claim 24 that recites subject matter consistent with the scope of claim 1 in a form that instead depends from claim 10 (of elected Group II). In addition, Applicant has revised claims 3-5 and 7-9 to depend from new claim 24. Applicant respectfully notes that even if the Office repeats the present restriction and makes same final, subject matter of claims 24 and 3-9, which (as amended) depend from claim

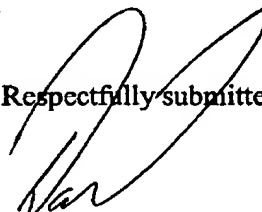
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10, now clearly falls within the Office's definition of group II. Substantive examination is therefore requested.

While all claims are believed to be allowable and a notice to that effect is requested, should any issues be susceptible to resolution by telephonic interview, the Office is requested to contact the undersigned at the number listed below.

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Respectfully submitted,


David W. O'Brien, Reg. No. 40,107
Attorney for Applicant(s)
(512) 338-6314
(512) 338-6301 (fax)

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